

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARIBEL MOSES, on behalf of herself and
all others similarly situated,

Plaintiff,

v.

THE NEW YORK TIMES COMPANY, d/b/a
The New York Times,

Defendant.

Civil Action No.: 1:20-cv-04658-RA

Hon. Judge Ronnie Abrams

**NOTICE OF MOTION AND UNOPPOSED MOTION FOR ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that upon: (1) the accompanying Memorandum of Law, and (2) the Declaration of Frederick J. Klorczyk III, and the exhibits attached thereto (including the Parties' Class Action Settlement Agreement), Plaintiff Maribel Moses, through her undersigned attorneys, will move this Court, before the Honorable Ronnie Abrams, United States District Court Judge, Southern District of New York, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, for an Order, pursuant to Federal Rule of Civil Procedure 23(e): (i) granting preliminary approval of the Class Action Settlement; (ii) provisionally certifying the Settlement Class under Federal Rule of Civil Procedure 23(b)(3) in connection with the settlement process; (iii) appointing Bursor & Fisher, P.A. as Class Counsel; (iv) appointing Maribel Moses as the Class Representative for the Settlement Class; (v) approving the Notice Plan for the Class Action Settlement described in the Class Action Settlement Agreement and its Exhibits, as well as the specific Notice of Class Action and Proposed Settlement (the "Proposed Notice"), attached as Exhibits B-E to the Settlement

Agreement, and directing distribution of the Proposed Notice; (vi) establishing a schedule for dissemination of the notice of the settlement to Settlement Class Members, as well as the deadlines for Settlement Class Members to submit objections to or request exclusion from the settlement; (vii) setting a hearing for final approval of the settlement; and (viii) granting such other, further, or different relief as the court deems just and proper.

* * *

A Proposed Preliminary Approval Order is submitted herewith.

Dated: March 30, 2021

Respectfully submitted,

BURSOR & FISHER, P.A.

By: /s/ Frederick J. Klorczyk III
Frederick J. Klorczyk III

Frederick J. Klorczyk III
888 Seventh Avenue
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
E-Mail: fklorczyk@bursor.com

BURSOR & FISHER, P.A.

Neal J. Deckant
1990 North California Boulevard, Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
E-Mail: ndeckant@bursor.com

Attorneys for Plaintiff